

1 Eugene Ashley, Bar No. 171885
2 eashley@hopkinscarley.com
3 Noelle R. Dunn, Bar No. 226913
4 ndunn@hopkinscarley.com
5 **HOPKINS & CARLEY**
6 A Law Corporation
7 The Letitia Building
8 70 S First Street
9 San Jose, CA 95113-2406

6 | *mailing address:*

7 P.O. Box 1469
8 San Jose, CA 95109-1469
Telephone: (408) 286-9800
Facsimile: (408) 998-4790

9 Attorneys for Plaintiff
POWERSPEAKING, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 POWERSPEAKING, INC., a California
Corporation,

CASE NO. C-08-00963 EMC

16 Plaintiff,

**STIPULATION AND ORDER TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

17 | v.

18 PATRICIA SMITH-PIERCE, an
19 individual, POWER SPEAKING
CONSULTANTS, an unknown entity, and
DOES 1 through 20, inclusive,

Defendant,

22 Plaintiff PowerSpeaking, Inc. (“Plaintiff”) and Defendant Patricia Smith-Pierce doing
23 business as Power Speaking Consultants (“Defendant”) hereby stipulate as follows:

24 A. WHEREAS, the complaint in this matter was filed on February 14, 2008;

25 B. WHEREAS, service of the summons and complaint was postponed for several
26 weeks while Plaintiff invited Defendant to enter into discussions aimed at finding a mutually
27 acceptable resolution;

28 C. WHEREAS, the Court continued the initial Case Management Conference,

1 originally scheduled for May 21, 2008 to August 6, 2008;

2 D. WHEREAS, the summons and complaint were served on June 2, 2008;

3 E. WHEREAS, the parties have reached an agreement in principle to settle this matter;
4 and

5 F. WHEREAS, to conserve the resources of the parties and the Court, the parties have
6 agreed to further continue the initial Case Management Conference to allow for negotiation of the
7 terms of a settlement agreement.

8 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

9 Pursuant to Civil L.R. 6-2, and subject to the approval of this Court, the Case Management
10 Conference currently scheduled for August 6, 2008 shall be continued to September 10, 2008, or
11 as the Court's calendar may allow.

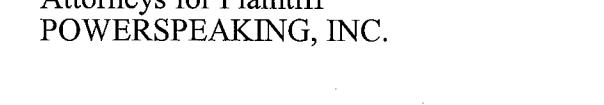
12 Dated: July 15, 2008

13 HOPKINS & CARLEY
14 A Law Corporation

15 By: 
16 Eugene Ashley
17 Noelle R. Dunn
18 Attorneys for Plaintiff
19 POWERSPEAKING, INC.

20 Dated: July , 2008

21 NIRO, SCAVONE, HALLER & NIRO

22 By: 
23 William L. Niro
24 Attorneys for Defendant
25 PATRICIA SMITH-PIERCE, an individual
26 doing business as POWER SPEAKING
27 CONSULTANTS

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12 Dated: July , 2008

HOPKINS & CARLEY
A Law Corporation

14 By: _____

15 Eugene Ashley
16 Noelle R. Dunn
17 Attorneys for Plaintiff
POWERSPEAKING, INC.

18 Dated: July 16, 2008

NIRO, SCAVONE, HALLER & NIRO

20 By: _____

21 William L. Niro
22 Attorneys for Defendant
23 PATRICIA SMITH-PIERCE, an individual
24 doing business as POWER SPEAKING
25 CONSULTANTS

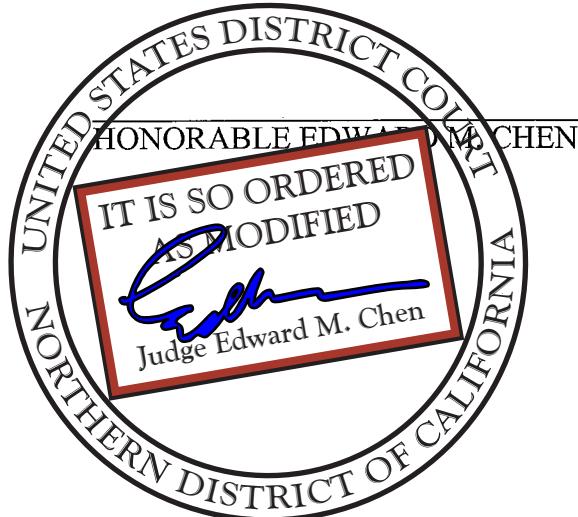
1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 The initial Case Management Conference in this case is continued to September 10, 2008
4 in Courtroom C, 15th Floor, San Francisco, at 1:30 p.m. A joint CMC Statement shall be filed
by September 3, 2008.

5 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

6 Dated: July 17, 2008



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